

## **DISCLAIMER**

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## **APPLICATION OF**

**WASHINGTON GAS LIGHT COMPANY**

**CASE NO. PUE000407**

**For approval of special rates pursuant to  
Virginia Code § 56-235.2**

## **HEARING EXAMINER'S RULING**

**October 19, 2000**

On July 28, 2000, Washington Gas Light Company ("Washington Gas" or "Company") filed with the Commission an application pursuant to § 56-235.2 of the Code of Virginia for approval of special area development rates applicable to a defined area within its service territory in Loudoun County, Virginia. On August 24, 2000, the Commission issued an Order for Notice and Hearing which, among other things, established a procedural schedule for the filing of prefiled testimony and exhibits and scheduled a public hearing for November 8, 2000.

On October 16, 2000, Northern Virginia Electric Cooperative ("NOVEC"), by counsel, filed a Motion for Leave to Accept Late Filing. NOVEC requests that its Notice of Protest and Protest, which are attached to the Motion, be accepted for late filing. Pursuant to the Commission's Order for Notice and Hearing, Notices of Protest were due to be filed by September 22, 2000, and Protests were due to be filed by October 6, 2000. By its motion, NOVEC further requests that the October 6, 2000, filing date for Protestant's testimony be extended.

On October 18, 2000, Company, by counsel, filed a Motion to Amend Procedural Schedule, requesting that the filing date for Staff testimony be extended from October 23 to October 25, 2000. The Motion also requests a one-day extension, or until November 1, 2000, to file Company rebuttal testimony and exhibits. In support of the Motion, Company states that Washington Gas and Staff have had a number of recent meetings to discuss certain aspects of the Company's application, thus necessitating Staff's request for additional time to file its testimony. Washington Gas further represents that Staff does not oppose the suggested schedule modification.

Also on October 18, 2000, Company, by counsel, filed a response to NOVEC's Motion to Accept Late Filing. The Company opposes the request, stating that any delay in the current procedural schedule would be highly prejudicial to Washington Gas. Company further represents that a procedural delay may have anti-competitive impacts in Virginia by eliminating an alternative fuel choice to a substantial number of residents within Company's service territory.

Upon consideration of the pleadings, I find the procedural schedule should be modified. I am reluctant to delay the scheduled hearing date, and encourage the parties to work within the

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schedule outlined below. Should the parties determine that the schedule requires further modification, however, I will entertain motions to that effect. Accordingly,

## **IT IS DIRECTED:**

- (1) That NOVEC shall prefile its direct testimony and exhibits on or before October 25, 2000;
- (2) That Staff shall file its testimony and exhibits on or before October 27, 2000;
- (3) That Company shall file its rebuttal testimony and exhibits on or before November 2, 2000;
- (4) That, in an effort to facilitate the modified procedural schedule, the parties and Staff are encouraged to e-mail their prefiled testimony and exhibits to opposing counsel at the time they file with the Commission. The parties and Staff shall either hand-deliver or send by overnight express delivery, a hard copy of their prefiled testimony and exhibits to opposing counsel; and
- (5) That the public hearing currently scheduled to commence at 10:00 a.m. on November 8, 2000, shall remain as docketed.

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Alexander F. Skirpan, Jr.  
Hearing Examiner